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on Friday, 28 September 1984, at 3.30 p.m.

President: Mr. BARREDA DELGADO (Peru)

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**/ GC (XXVIII)/731.

The composition of delegations attending the session is given in document GC (XXVIII)/INF/223/Rev.4.

CONSEQUENCES OF THE ISRAELI MILITARY ATTACK ON THE IRAQI NUCLEAR RESEARCH REACTOR AND THE STANDING THREAT TO REPEAT THIS ATTACK FOR: (a) THE DEVELOPMENT OF NUCLEAR ENERGY FOR PEACEFUL PURPOSES; AND (b) THE ROLE AND ACTIVITIES OF THE INTERNATIONAL ATOMIC ENERGY AGENCY (GC(XXVIII)/719, 720, 722, 741 and Add.1, 745)

1. The PRESIDENT recalled that the previous year, in resolution GC(XXVII)/RES/409, the General Conference had requested the Director General to re-examine and report to the Board of Governors with respect to Israel on the Agency's research contracts, purchase of equipment and materials, and the holding of meetings outside Agency headquarters and to prepare and submit at the twenty-eighth regular session of the General Conference a report on the consequences of an armed attack on peaceful nuclear installations and the threats thereof for the Agency safeguards system and the peaceful applications of atomic energy. The Conference had further requested the Director General to report to it at its twenty-eighth regular session on the implementation of that resolution. The report of the Director General in response to that request was contained in document GC(XXVIII)/719.

2. A draft resolution had been submitted jointly by Iraq, Jordan, Kuwait, Malaysia, Morocco, Nigeria, Saudi Arabia, the United Arab Emirates and Zambia in document GC(XXVIII)/741 and Add.1, and an amendment to that draft resolution proposed by the United States was set out in document GC(XXVIII)/745.

3. Mr. BIN-DA'AR (United Arab Emirates), introducing the draft resolution contained in document GC(XXVIII)/741, said that, since Israel had failed to comply with the provisions of resolution GC(XXVII)/RES/409, his delegation had originally intended to submit to the General Conference a proposal demanding the immediate implementation of that resolution and, in particular, of operative paragraph 3 thereof. However, following negotiations between various delegations and an understanding reached within the Group of 77 as a result of discussions, the Arab group of States had accepted a compromise in the form of the draft resolution presented in document GC(XXVIII)/741, which he stressed was the minimum acceptable and which he hoped all countries would approve.

4. Mr. AL-ZAHAWI (Iraq) pointed out that the Director General's report contained in document GC(XXVIII)/719 refuted the claim that the inclusion in the agenda of the item concerning the consequences of the Israeli military attack on the Iraqi nuclear research reactor was an instance of politicization of the Agency's work.
5. The question before the Conference was whether Israel had satisfied the requirements of resolution GC(XXVII)/RES/409, especially operative paragraphs 2 and 3.
6. In order to give the Conference a clear understanding of the nature of the Israeli statements in the context of the Israeli threats and to throw some light on the arguments on which the policy of pre-emptive attack was based, he wished to recall some of the statements made by the Israeli authorities after the events of 7 June 1981.
7. In its communiqué of 8 June 1981 the Israeli Government had alleged that the Osirak nuclear reactor had been intended for the production of bombs whose target was to have been Israel and that the Israeli Government had therefore decided to act without further delay to ensure the safety of its people.
8. The communiqué had further claimed that no foreign expert had been hurt during the attack and that two European Governments were helping Iraq to manufacture nuclear weapons. It had asserted that Israel would on no account permit an enemy to develop weapons of mass destruction which would be used against the people of Israel and that it would defend its citizens in good time and with all the means at its disposal.
9. According to the "New York Times" of 10 June, the then Prime Minister of Israel, Menachem Begin, had announced that Israel would use all the means at its disposal to thwart attempts by its enemies to develop weapons of mass destruction; rejecting the French statement that the reactor had been intended merely for research and the generation of electricity, he had threatened that if the Iraqis tried again to build a reactor with which they could produce atomic weapons, Israel would destroy that reactor, too.

10. On 11 June the same newspaper had quoted the Israeli Chief of Staff as declaring that his country would know how to act the next time as well, and that such action would not necessarily be taken in Iraq but quite possibly elsewhere. According to the "Christian Science Monitor" of 12 June, Israeli analysts had insisted that the supervision called for by the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) was no longer adequate.

Professor Yair Evron of Tel Aviv University's Centre for Strategic Studies had been reported as saying that the Agency's safeguards inspectors were thinking in terms of large weapons inventories whereas even one bomb would have created a new situation in the Middle East and that in the future there would have to be a far more elaborate system of international supervision, agreements by the big Powers on limitations and much more intervention by them.

11. Appearing on the Columbia Broadcasting System (CBS) news programme "Face the Nation", as had been reported on 15 June in the "New York Times", the Israeli Prime Minister had expressed the hope that the bombing attack would induce France and Italy to refrain in future from co-operating with Iraq in the building of reactors. In answer to a question about the precedent which Israel's action might have set for other countries whose enemies were on the verge of acquiring nuclear weaponry, he had said that every country would now decide for itself.

12. On 22 June, after the unanimous adoption by the United Nations Security Council of the resolution condemning Israel for its attack, the Israeli Cabinet had criticized the Council's action as expressing a double standard and had again alleged that Iraq had built a reactor in order to prepare secretly, under false pretensions and deceit, atomic bombs to be thrown in time on the centres of the Jewish population in the State of Israel. It had regretted that its ally, the United States, had even conducted talks with Iraq with a view to formulating an agreed resolution.

13. It was worth noting that on 17 June the "Washington Post" had refuted many of Israel's arguments justifying the attack. First of all, Iraq had not refused to allow the IAEA to inspect the reactor: except at the beginning of the Iran-Iraq war, the Agency inspectors had been given access to the facility, the most recent inspection having taken place in January 1981 and another having been scheduled for the month of June during which the attack had occurred.

14. Secondly, the claim that a Baghdad newspaper had quoted President Saddam Hussein as saying that the nuclear reactor had been intended for use against Israel had subsequently been denied by the Israeli Government itself.

15. Thirdly, the Israeli Prime Minister had admitted as erroneous his earlier assertion about the existence and destruction of a secret underground chamber 40 metres below the reactor. French nuclear experts had denied that such a chamber for making bombs existed.

16. Fourthly, Israel's chief of military intelligence had confirmed on 16 June that no information to the effect that Iraq was preparing to make a bomb had been conveyed to Israel by the United States, as had previously been claimed.

17. Fifthly, the Iraqi reactor would not have become critical in early July or early September but, according to French nuclear experts, by the end of the year at the earliest.

18. It was also not true that no foreign experts had been hurt; a French technician had been killed during the Israeli attack.

19. As to more recent threats made by Israeli officials, a statement by the Israeli Minister for Scientific Development had been published in "Nucleonics Week" on 25 April 1983 according to which Israel felt compelled to disrupt any Arab project when it became clear that the intention was to produce nuclear weapons.

20. Although that Minister was no longer in office, the Israeli Cabinet now had a more dangerous man, Minister without Portfolio Sharon, who had declared in a major policy statement issued on 15 December 1981 that the third element in Israel's defence policy for the 1980s was its determination to prevent "confrontation States" from gaining access to nuclear weapons and that it would therefore have to prevent such a threat at its inception.

21. The same person had further declared, according to the 11-24 issue (October 1982) of "Afrique-Asie", that Israel's security interests were not limited to the Arab countries in the Middle East, the Mediterranean and the Red Sea but should in the 1980s extend to countries such as Turkey, Iran and Pakistan and to regions such as the Persian Gulf and northern and central Africa.

22. Turning to the Israeli statements reproduced in Annex 4 to document GC(XXVIII)/719, he emphasized that their true meaning and implications must be judged in the light of the earlier Israeli statements which he had referred to. Although the Director General of the Israel Atomic Energy Commission was not a policy-maker in matters of military strategy and operations, his letter was nonetheless highly revealing. The statement that Israel supported international efforts to arrive at an early arrangement directed to the purpose of regulating the status of nuclear facilities clearly indicated that Israel did not recognize the existing arrangements.

23. Furthermore, the assertion that Israel had no policy of attacking nuclear facilities, and certainly had no intention of attacking nuclear facilities dedicated to peaceful purposes anywhere, was meaningless because Israel had nevertheless attacked the Iraqi nuclear facility on the pretext that it was not dedicated to peaceful purposes.

24. He was amazed at the comments of the Governor from Belgium reproduced in Annex 2 to document GC(XXVIII)/719 (paragraph 100) because the letter from the Resident Representative of Israel in Annex 4 to the same document specifically did not contain an undertaking not to carry out any further attacks on civilian nuclear facilities, especially if the latter were under Agency safeguards, and not to jeopardize the credibility of the Agency's safeguards. The Israeli Prime Minister's statement reproduced in that letter did not in fact acknowledge that any such thing as safeguards existed at all.

25. Yet United States Assistant Secretary of State Mr. Newell had informed the Director General that his Government was convinced that the Israeli Government, through Prime Minister Shamir's public statement of 2 May, had fully satisfied the requirements of resolution GC(XXVII)/RES/409, and had urged the Agency to lay that issue to rest before irreparable damage was done to the Agency's legitimate mission.

26. It was most unfortunate to find that the United States Government was again trying to absolve Israel from all blame, as it always did, and was even doing its best to make others follow its line. If the Agency were to adopt the United States' view of the Israeli statements, it would become the laughing stock of the international community, especially when the full content and true meaning of those Israeli statements became known.

27. A cursory reading of the first paragraph of the Israeli Prime Minister's statement, as quoted in Annex 4 to document GC(XXVIII)/719, might suggest that it was totally irrelevant to the question of the Israeli attack and the subsequent threats to repeat that attack. However, it did not appear so in the light of a report on that statement published by "Nucleonics Week" of 10 May 1984:

"In a May 2 speech in Tel Aviv, Shamir said that 'Israel, which is poor in natural resources and sources of energy ... has an interest in building nuclear power plants.' However, he added, some regimes violate agreement and rules of behaviour without fear of retribution. Accordingly, the Prime Minister advocated co-ordinated and unified action by democratic countries which 'are capable of punishing the various international pirates'."

28. That showed the real thrust of the Israeli statements and fully revealed Israel's doctrine of attacking nuclear facilities wherever and whenever it saw fit. Far from being a withdrawal of the earlier Israeli threat it was an affirmation of the Begin doctrine of pre-emptive attack and an open invitation to "democratic countries" - including, no doubt, "democratic" and "capable" South Africa - to join Israel in punishing the various "international pirates".

29. The Israeli statements were in fact a deliberate attempt to mislead the Members of the Agency so that the culprit might be rehabilitated, his crime forgotten and he be allowed the freedom to recruit others to join him in committing similar acts in the future.

30. The Israelis might find satisfaction in having convinced those countries which called themselves democratic that the invitation to join Israel in the act which they had condemned constituted a withdrawal of the threat to repeat such an act.

31. For that deliberate attempt to deceive the Agency and to call upon others to join in acts of aggression which the Agency had already condemned, Israel deserved to be suspended from exercising the privileges and rights of membership.

32. The protection afforded by the United States to the perpetrator of such acts was an open invitation to others to find a superpower which would defend them, regardless of whether they were right or wrong, so that they could commit their acts of piracy with total impunity under the pretext of safeguarding the Agency's mission from irreparable damage.

33. The United States' threat to the Agency if the latter did not share its view of the consequences of the Israeli attack was a challenge to the principle of sovereign equality of Member States in the Agency. That country's readiness to withdraw from the Agency demonstrated how much real concern it had for the so-called principle of universality which it had invoked so often.

34. In conclusion, he requested that a roll-call vote be taken on the draft resolution, which was the result of intensive consultations between the various regional groups, and urged all delegations which were truly concerned about the fate of the Agency, the future of safeguards and NPT and the peaceful uses of nuclear energy to vote in favour of it.

35. Mr. KENNEDY (United States of America) deeply regretted having to speak on the item under discussion, since his delegation felt that there was no justification for its inclusion in the agenda of the Conference. The draft resolution before the Conference was divisive and contained so many serious flaws that it would be virtually impossible to amend it adequately.

36. One aspect, however, was of such importance to the Agency's work that it must be discussed. His country had repeatedly stated the view that the Agency's safeguards system was vital to the security of all nations and should be embraced by all States. In accordance with that view, his delegation had proposed in document GC(XXVIII)/745, an amendment to operative paragraph 6 of the draft resolution set forth in document GC(XXVIII)/741. The United States regularly urged Israel to accept safeguards on all its nuclear activities in the same way that it urged all States to do so. A resolution calling on only one State to accept safeguards was illogical. It should call on all States to do so. A number of Agency Member States had not entered into arrangements with the Agency for the application of safeguards to all their peaceful nuclear facilities. That situation should be rectified. All States should

adopt safeguards on all their peaceful nuclear activities, and that was the goal of the proposed amendment. Such action would widen support for the safeguards system and enhance public and international confidence, which was essential if the full potential of the peaceful uses of nuclear energy was to be fulfilled.

37. Mr. SINGH (India) said that the proposed amendment to operative paragraph 6 of the draft resolution was not a rational one. The question at issue was not a simple, technical, non-political matter, but an act of aggression which had been discussed by the United Nations Security Council and General Assembly, by the Board of Governors and at three sessions of the General Conference, and for which Iraq had so far received no satisfaction through the Agency. The purpose of the amendment was to remove the mention of Israel from paragraph 6 and to substitute all Member States which had not accepted Agency safeguards on all their peaceful nuclear facilities. That was illogical, however, since it was Israel which had attacked Iraq's peaceful nuclear research reactor in 1981, whereas the rest of those States had committed no such act of aggression. He requested that the meeting be suspended so as to allow the Group of 77 to consider the implications of the amendment proposed by the United States.

The meeting was suspended at 4.20 p.m. and resumed at 5.45 p.m.

38. The CHAIRMAN said that the amendment proposed in document GC(XXVIII)/745 had been withdrawn by the delegation of the United States of America, pursuant to Rule 65 of the Rules of Procedure of the General Conference.

39. Mr. JIANG (China) said that on 7 June 1981 Israeli military aircraft had wantonly attacked an Iraqi nuclear research reactor. That act of aggression had aroused the indignation of people throughout the world. Both the United Nations General Assembly and the Security Council had passed resolutions in which Israel's act had been strongly condemned and Israel had been enjoined to compensate for the losses suffered. Also, the General Conference had adopted resolution GC(XXV)/RES/381, in preambular paragraph (i) of which it had been pointed out that Israel's military aggression against a safeguarded nuclear research facility had caused considerable damage to the safeguards regime and could seriously jeopardize the development of nuclear energy for peaceful purposes.

40. The Chinese Government and people, who had always condemned Israel's policy of aggression, had expressed their violent indignation at the bombardment of Iraq's peaceful nuclear facility. The attack had not only inflicted enormous losses on Iraq, but had also created a highly undesirable precedent for further attacks on nuclear installations devoted to peaceful purposes. The pretext put forward by Israel for the attack was that the Iraqi facility had threatened Israel's security, a statement that was entirely without foundation. It was known to all that the Iraqi nuclear research reactor had been under Agency safeguards. Thus, if a country could attack a nuclear facility devoted to peaceful purposes merely on the pretext that the facility endangered its security, it might be concluded that any country could attack similar installations of other countries on the same pretext. That view was entirely unacceptable, and the Chinese delegation therefore supported the draft resolution in document GC(XXVIII)/741.

41. Mr. HADDAD (Syrian Arab Republic) said that the United States delegation had invoked Rule 63 of the Rules of Procedure at the previous Plenary meeting^{1/} in order to delay discussion of the draft resolution in document GC(XXVIII)/741 but had itself put forward a draft amendment to that resolution (document GC(XXVIII)/745) only very shortly before it was to be discussed. However, the Syrian delegation did not intend to invoke Rule 63 against the United States' proposal, which it saw mainly as an attempt to evade the issue underlying the draft resolution in document GC(XXVIII)/741 and to prevent the draft resolution from being discussed and adopted.

42. Mr. SOLTANIEH (Islamic Republic of Iran) said that his country had always condemned military attacks on peaceful nuclear facilities. For that reason, despite the war imposed by Iraq, the Islamic Republic of Iran had supported the previous General Conference resolutions concerning the Israeli attack on the Iraqi nuclear research reactor. The draft resolution under discussion had some merit but did not constitute an appropriate or effective response to Israel's attack on a peaceful nuclear installation. The Islamic Republic of Iran's position was that Israel should be suspended from the rights and privileges of Agency membership so that such attacks would never be repeated in the future. Nevertheless, in order to demonstrate its support for the principles embodied in the draft resolution in document GC(XXVIII)/741, the Islamic Republic of Iran was prepared to support it.

^{1/} GC(XXVIII)/OR.266, para. 68.

43. Mr. EILAM (Israel) said that the draft resolution before the Conference constituted a singling out of and discrimination against Israel and that no proper consideration had been given to Israel's verbal and written statements on the matter. In order to prevent any possible misunderstanding, he wished once again to reiterate the main points of his Government's policy.

44. First, Israel had no policy of attacking nuclear facilities and had no intention of attacking nuclear facilities dedicated to peaceful purposes anywhere. It held that nuclear facilities dedicated to peaceful purposes should be inviolable from military attack and it supported international efforts to reach agreement as soon as possible with a view to regulating the status of nuclear facilities and enhancing the role of the IAEA in ensuring that nuclear energy was a credible and safe means of achieving peaceful development. Secondly, Israel viewed positively the activities of international organizations established by the international community for such purposes. Within that context, Israel considered the conclusions of the Director General's report in document GC(XXVIII)/719 to be relevant. Thirdly, Israel welcomed the efforts currently being made by international organizations to work out arrangements for world-wide application whereby nuclear facilities would be protected from military attack. Israel would accept the conclusions of those negotiations, including the definition of nuclear facilities as being for peaceful purposes.

45. Operative paragraph 6 of the draft resolution before the Conference was both political and discriminatory in nature. It went beyond the scope of the Agency's mandate and was incompatible with its Statute, since the Agency was based on the principle of sovereign equality of all Members, as embodied in Article IV.C of the Statute. Therefore, any decision against Israel as proposed in the draft resolution - which would violate the principle of sovereign equality of Member States and run counter to the principle of universality - would be a political act with no legal justification.

46. The Statute did not make membership of the IAEA conditional upon a State's agreement to place its nuclear facilities under IAEA safeguards. If such a requirement existed, many Member States represented at the Conference would be in violation of it.

47. He reminded the Conference that Israel was a democratic country with freedom of speech. The only statements to which his Government was bound were those made officially, for example in the General Conference. He noted that the delegation of Iraq had made no mention of the statement and clarification provided by Israel in the Conference. Furthermore, although the Iraqi representative had stated that his country was a peaceful one which did not violate any conventions or agreements, it had been proved that Iraq had used chemical weapons against Iran in violation of formal undertakings.

48. In conclusion, he urged all delegations to reject the draft resolution.

49. Mr. SOLTANIEH (Islamic Republic of Iran) said that the war between his country and Iraq would be fought at the battlefield and that the delegations of Israel and the United States would not be permitted to use such issues to undermine the stand made by Agency Member States against Israel. The principle of the universality of the Agency had been raised, but that principle must be called into question if certain countries wantonly attacked the peaceful nuclear facilities of others.

50. The Israeli response to resolution GC(XXVII)/RES/409 did not represent the minimum necessary. Israel claimed, in a letter reproduced in document GC(XXVIII)/719, that it had no policy of attacking nuclear facilities and no intention of attacking nuclear facilities devoted to peaceful purposes anywhere. If that were so, how was the attack on the Iraqi research reactor to be interpreted? One could conclude either that a policy of not attacking nuclear facilities devoted to peaceful purposes existed but had been entirely ignored or that such a policy did not exist. The latter conclusion seemed more logical, however, as the very existence of the régime in question was based on a policy of aggression involving the occupation of Jerusalem and Palestine. In his view, therefore, the only solution was to treat Israel as a cancerous growth which should be removed by expulsion from the international community.

51. The PRESIDENT recalled that the delegate of Iraq had requested a roll-call vote on the draft resolution contained in document GC(XXVIII)/741.

52. Venezuela, having been drawn by lot by the President, was called upon to vote first.

53. The result of the vote was as follows:

In favour: Albania, Algeria, Argentina, Bangladesh, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Cuba, Cyprus, Czechoslovakia, Democratic People's Republic of Korea, Egypt, Gabon, German Democratic Republic, Ghana, Hungary, India, Indonesia, Islamic Republic of Iran, Iraq, Jordan, Kenya, Republic of Korea, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malaysia, Mexico, Mongolia, Morocco, Namibia, Niger, Nigeria, Pakistan, Philippines, Poland, Qatar, Romania, Saudi Arabia, Senegal, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Vietnam, Yugoslavia, Zambia.

Against: Belgium, Canada, Costa Rica, France, Federal Republic of Germany, Guatemala, Iceland, Israel, Japan, Liechtenstein, Luxembourg, Monaco, Norway, Portugal, Switzerland, United States of America, Uruguay.

Abstaining: Australia, Austria, Bolivia, Chile, Colombia, Denmark, Ecuador, Finland, Greece, Holy See, Ireland, Italy, Ivory Coast, Netherlands, New Zealand, Panama, Paraguay, Peru, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Venezuela.

54. There were 53 votes in favour and 17 against, with 23 abstentions. The draft resolution was adopted.

55. Mr. KENNEDY (United States of America), explaining why his delegation had voted against the draft resolution, said that the statements by the Government of Israel circulated in document GC(XXVIII)/720 and reiterated during the general debate were fully responsive to the call contained in operative paragraph 2 of resolution GC(XXVII)/RES/409. In particular the language which the Government of Israel had used with regard to "nuclear facilities dedicated to peaceful purposes" was virtually identical with that approved by the General Conference in resolution GC(XXVII)/RES/407. He therefore took the view that attempts to pursue extraneous and illegal ends through resolutions such as that contained in document GC(XXVIII)/741 were motivated by considerations which were irrelevant and detrimental to the Agency. He feared that the adoption of the resolution would cause the divisive and destructive debate which had been going on for three successive years to be continued at the next session of the Conference.

56. Furthermore, the resolution contained a number of inaccuracies and omissions. For example, operative paragraph 1 did not reflect the view of some Member States that Israel's statements in document GC(XXVIII)/720 were fully responsive to the relevant requirements of resolution GC(XXVII)/RES/409. Operative paragraph 2 was not sufficiently precise on a subject which had been the matter of lengthy debates and ought at least to have referred to nuclear facilities devoted to peaceful purposes. Operative paragraph 3 suffered from the same defect, in addition to singling out Israel in a matter which should be broadly applicable.

57. Operative paragraph 4 was totally objectionable, since it requested the Director General to undertake a task which, in his delegation's opinion, had already been fulfilled. In connection with that paragraph it was his unequivocal understanding that it did not imply any limitations whatsoever, either at present or in the future, on Israel's rights and privileges as a Member. His delegation also clearly understood the request that the General Conference consider the implementation of paragraph 3 of resolution GC(XXVII)/RES/409 to imply nothing more than that the question would be discussed and that the outcome of any debate which might ensue would in no way be prejudiced by such consideration.

58. His delegation saw no reason why Israel should be singled out in operative paragraph 6. It was not the only State which had not placed all its nuclear facilities under Agency safeguards, and his country once again urged all States which had not taken that step to do so in order to foster new confidence in the Agency.

59. While the United States acknowledged the right mentioned in operative paragraph 7, it equally believed that it was in the interest of all States to become parties to the Treaty on the Non-Proliferation of Nuclear Weapons and to undertake to place all their peaceful nuclear activities under safeguards.

60. His delegation attached great importance to the role and proper functioning of the United Nations and its related agencies, especially the technical agencies, as was evidenced by his country's active participation and large contributions. The Agency should return to its original objective as defined by Article II of the Statute, to which the resolution was not relevant.

61. Mr. SINGH (India) said it was gratifying that there had been a majority of more than two thirds in favour of the resolution. It was important to put the resolution adopted into its historical perspective. Israel's attack on the Iraqi nuclear research reactor had taken place on 7 June 1981. On 12 June 1981, the Board of Governors had adopted a resolution recommending that the General Conference consider all the implications of the attack, including the suspension of Israel from the exercise of the privileges and rights of membership. On 19 June 1981, the United Nations Security Council had passed its resolution 487 strongly condemning the attack as a clear violation of the United Nations Charter and as being contrary to the norms of international conduct. Both the Group of 77 and the Agency as a whole were obliged to respect those resolutions. In that connection, the voting pattern of some permanent Members of the Security Council with regard to the resolution just adopted was inconsistent with the way they had voted on Security Council resolution 487 in 1981. While those countries had been prepared at that time to deal with an act of aggression, they had now shown themselves unwilling to remove the threat of that aggression.

62. In September 1981, the General Conference had at its twenty-fifth session adopted resolution GC(XXV)/RES/381, by which it had decided to consider at its twenty-sixth session the suspension of Israel from the exercise of the privileges and rights of membership if by that time it had not complied with the provisions of Security Council resolution 487. At the twenty-sixth session, therefore, the question under consideration had been whether Israel had complied with Security Council resolution 487. The answer had been that it had not, and the Conference had voted on a resolution calling for the suspension of Israel from the exercise of the privileges and rights of membership for persistent violation of the Statute and the purposes and principles of the United Nations Charter. That resolution had not been adopted, but the credentials of the Israeli delegation had been rejected at that session.

63. At its twenty-seventh session, the General Conference in 1983 had adopted resolution GC(XXVII)/RES/409, under operative paragraph 3 of which it had decided to withhold Agency research contracts to Israel, to discontinue the purchase of equipment and materials from Israel and to refrain from holding

seminars and scientific meetings in Israel if it had not withdrawn its threat to attack and destroy nuclear facilities in Iraq and other countries by the twenty-eighth session of the General Conference. However, it now transpired that there was reluctance on the part of some to mention the question of the suspension of Israel's rights and privileges of membership or to discuss the implementation of resolution GC(XXVII)/RES/409.

64. It had been said that Israel had already given appropriate assurances and should be deemed to have withdrawn its threat. However, the statements made by the Israeli delegation and the declarations and letters issued by Israel on the subject contained no word of regret for their past actions, made no mention of either safeguards or Iraq and gave no indication that Israel intended to respect safeguards in any part of the world. The Group of 77 - with just a few exceptions - considered that nothing had been stated which could be construed as meaning anything other than that Israel itself intended to determine which facilities in the Middle East were peaceful and which were not. In other words, the statements made by Israel did not constitute a complete or proper response to resolution GC(XXVII)/RES/409. It was clear that Israel had failed to satisfy the conditions laid down in operative paragraphs 2 and 3 of that resolution. Following negotiations in the Group of 77, the Islamic Republic of Iran and Iraq had been persuaded to give Israel another chance to comply with the relevant provisions. The resolution just adopted called on the Director General to intervene personally with the Israeli authorities to that end. The Group of 77 was grateful to the General Conference for its patience, but noted that the discussion of the question at the next session would depend on the success of the Director General's efforts.

65. Mr. CAMPBELL (Australia) said that the resolution overcame an immediate danger to the Agency and to the important principle of universality. His delegation had abstained from voting, however, because of serious deficiencies in the resolution; in particular, operative paragraph 4 of the resolution referred to operative paragraph 3 of resolution GC(XXVII)/RES/409, the provisions of which his delegation opposed. He hoped that at its following session the General Conference would consider the matter, as it would pursuant to operative paragraph 4, but only with a view to concluding the topic in a way which best served the interests of the Agency, which could be served only by strict adherence to the Statute. He hoped that action during the next year would allow the matter to be removed from the agenda of the Conference.

66. Mr. GONZALEZ MORALES (Guatemala) said that it was unfortunate that the Conference was again in the position of having to vote on a resolution which was concerned with political questions. The Agency was a technical body and the appropriate forum for political matters was elsewhere.

67. Mr. THABAULT (France) said that, while the resolution adopted was a considerable improvement on the initial proposal, it had still been unacceptable to his delegation. France had consistently condemned the attack on the Iraqi research reactor and deplored the effects of the attack on Iraq's economic development and energy programme. However, the value of the statements made by the Israeli Prime Minister and the Chairman of the Israel Atomic Energy Commission and of the letter addressed to the Director General by the Resident Representative of Israel should not be underestimated. They were a step in the right direction and, even if some delegations considered them to be insufficient, at least it was no longer possible to speak of Israel's standing threat. Any sanctions taken against Israel would therefore have no basis in the Agency's Statute.

68. Furthermore, the placing of peaceful nuclear facilities under Agency safeguards should not be invoked as a threat or a punishment to any nation. The safeguards system could be extended only through persuasion, not compulsion. His delegation opposed any measure which impinged upon the rights of any Member State, including Israel, and had therefore voted against the resolution.

69. Mr. CEIRANO (Holy See), explaining why his delegation had abstained from voting on the draft resolution, stressed that the Holy See wholeheartedly supported the promotion of peaceful relations among all States and therefore condemned any act of aggression committed by one country against another.

70. His delegation supported all efforts to maintain the effectiveness of the Agency's Statute. Consequently, it endorsed the principle of universality as well as the right of the General Conference to adopt decisions designed to implement the provisions of the Statute and to enable the Agency both to foster the peaceful use of nuclear energy throughout the world and to provide the necessary safeguards against any abuse.

71. His delegation considered that the United Nations General Assembly was the correct forum for any question of a primarily political nature and that the resources available to the Agency should be concentrated on technical co-operation. His delegation nonetheless recognized that it was not always easy to separate political and technical matters. The Holy See had abstained from voting on the draft resolution because it shared the intentions of all those - whether they had voted for or against the resolution - who were in favour of improving relations between all Members of the Agency, thereby removing any feeling of distrust between them and eliminating the cause for future damaging incidents.

72. Mr. DHARMAWARDENA (Sri Lanka) said that it was the responsibility of the nuclear community, which included the Agency, to assure the rest of the world that it was employing nuclear energy solely for peaceful purposes and that peaceful nuclear programmes could not be used to develop the capability to destroy mankind. That goal would be achieved only if all nuclear facilities were subject to Agency safeguards. While respecting the principle of universality, his delegation would vote for any resolution which demanded that nuclear facilities in any Member State be placed under safeguards. Such a demand should not be considered a punishment.

73. Mr. MATSUMURA (Japan), explaining his vote against the draft resolution, said his delegation regarded the Agency as an international organization of a technical character whose function was to promote the world-wide peaceful uses of atomic energy and to ensure global non-proliferation of nuclear weapons. Its universality must be protected and any infringement of the principle of universality avoided. It was for that reason that Japan had voted against resolution GC(XXVII)/RES/409 while condemning the Israeli attack on the Iraqi nuclear facilities. In that connection, he stressed the need for the conclusion of an international convention prohibiting attacks on peaceful nuclear facilities.

74. Mr. NOE (Italy) said that his country had not voted against the draft resolution but had abstained on the clear understanding that the wording of operative paragraph 4 did not imply the automatic adoption in future of any measures which could affect the rights and privileges of a Member State; Italy

firmly supported the universality of the Agency's membership and was opposed to any interpretation which ran counter to that principle. Moreover, operative paragraphs 2 and 3 were somewhat puzzling. All Member States should place their peaceful nuclear facilities under Agency safeguards.

75. Mr. CONSTENLA UMANA (Costa Rica) said he wished first of all to refer to the statement by the Chairman of the Group of 77. The Chairman of the Latin American Group had announced to the Group of 77 that there was no consensus on the draft resolution contained in document GC(XXVIII)/741; that had reflected a unanimous decision of the Latin American Group. The Guatemalan delegation, which was a member of the Group of 77, had voted against the resolution as had the delegation of Costa Rica. Consequently, he failed to understand why the Chairman of the Group of 77 had given the impression that there had been unanimity of feeling within the Group of 77 concerning the matter.

76. His delegation deplored the fact that the Agency had been chosen time and again as the forum for discussing a political question. Also, it could not accept any infringement of the principle of universality of membership.

77. Mr. BRADY ROCHE (Chile) observed that his Government condemned aggression in any form. However, he had abstained from voting because the subject at issue had been dealt with in the appropriate forums and because the Agency, as an essentially technical body, ought to concentrate on technical activities and avoid political matters. In any case, he believed that the requirements of resolution GC(XXVII)/RES/409 had been complied with and hoped that the topic would not be considered further.

78. Mr. SULLIVAN (Canada) said that his country condemned the Israeli attack on the Iraqi research reactor and would greatly welcome Israel's placing all its nuclear programmes under Agency safeguards in the same way that it would welcome similar action by all countries which had not yet done so.

79. The very substantial efforts made by several delegations to find an acceptable compromise text as an alternative to the resolution adopted by the Conference deserved recognition. However, the text of the resolution as adopted did not even mention the statements made by the Government of Israel

in order to allay the concerns of the Government of Iraq. Moreover, the regulatory aspects of the Agency's mandate were highly technical and specific. Even in an extreme case - for example, where the diversion of nuclear material had been detected - the primary task of the Agency would be one of raising the alarm and not of policing. The intention behind operative paragraph 4 of the resolution was clearly to push the Agency into an enforcement role which it had neither the mandate nor the capacity to play.

80. The resolution passed by the Conference was also defective in that it sought to have the General Conference interpret by itself not only the Agency's Statute but also the United Nations Charter. For those reasons, his delegation had voted against the resolution.

81. Mr. DI BIASE (Uruguay) said that political discussions should not be a part of the work of technical international organizations, which should also abide by the principle of universality. His delegation's vote against the resolution did not, however, mean that it did not condemn Israel's attack on the Iraqi research reactor.

82. Mr. PECCI (Paraguay) said that his delegation had abstained from voting on the resolution because such political matters should be discussed in other forums. The Agency was a technical organization and, like all international organizations, should be guided by the principle of universality. He hoped that extraneous political matters would cease to appear on the agendas for future sessions of the General Conference.

83. Mr. AL-KITAL (Iraq) said that the Israeli delegation had referred to compliance with international agreements even though Israel's own record in the territories occupied by it was one of persistent violation of the Fourth Geneva Convention, to which it was a party.

84. Also, the Israeli representative had invoked the principle of sovereign equality of all Member States, yet nothing could represent a more flagrant violation of that principle than Israel's attack on Iraq's research reactor, by which Israel had placed itself above all other Agency Members.

85. With regard to the statement by the United States delegate, it seemed that the Agency faced not only a standing threat by Israel to attack peaceful nuclear facilities but also a standing threat by the United States to withdraw from the Agency if the organization took any action against Israel. He wished to remind the United States delegation that Security Council resolution 487 called upon Israel to refrain from further attacks on peaceful nuclear facilities and threats thereof and urgently to place its nuclear facilities under IAEA safeguards.

The meeting rose at 7.45 p.m.

